

# WAR-TIME PROHIBITION CONSTITUTIONAL, NOT CONFISCATORY, SUPREME COURT HOLDS

In Rendering Decision Sustaining Validity of the War-Time Prohibition Act, the Court's Opinion Declares That President Wilson Is Vested With Power to Terminate the Act By Proclamation Upon Ascertaining That Demobilization Has Been Accomplished—Court Says That Distillers Were Given More Than Nine Months to Dispose of Their Stocks—No Decision Was Given Upon the Validity of the Volstead Prohibition Enforcement Act Or Upon Appeals Involving the Alcoholic Content of Beer—Liquor Interests Are Prepared to Combat Federal Prohibition Amendment.

Washington, Dec. 15.—By unanimous decision constitutionality of war time prohibition by act was sustained today by the supreme court. The opinion, given by Associate Justice Brandeis, held in effect, however, that the war-involvement "dry" period may be terminated by presidential proclamation of demobilization.

In rendering its opinion the court, however, did not act upon the validity of the Volstead prohibition enforcement act or on appeals involving the alcoholic content of beer, leaving those cases to future opinions which may be handed down next Monday before the court recesses for the Christmas holidays. Today's decision practically swept away all hopes of a "wet" Christmas as the possibility of a presidential proclamation of demobilization was considered remote.

The cases decided were those of the Kentucky Distillers and Warehouse Company of Louisville, Ky., and Dryden, Blum and Company of New York. In both cases, the government had instituted suits for the purpose of compelling the government to release whiskey from bond. In both cases, the court denied contentions of the distillers that the law was an interference with the right of private property without just compensation, that the period of the war emergency for which the act was passed had terminated, that the law was an interference with the right of private property and an undue exercise of the war powers of congress.

Congress did not intend for the war time act to terminate on the conclusion of the war but at the end of the period of demobilization in the view of the court, which held that the "condition of war" had clearly and not mean cessation of hostilities.

"Congress, therefore, provided," the opinion added, "that the time when the act was passed was clearly and not mean cessation of hostilities."

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## LIFTING RESTRICTIONS ON CONSUMPTION OF COAL

Washington, Dec. 15.—Restrictions on the consumption of bituminous coal continued to be the board today, as the railroad administration, now in charge of the distribution of supplies, received reports indicating that 50 per cent. of the striking miners had returned to work. Orders were issued by the Director General of Railroads, Mr. D. C. Hooper, that the coal supply be increased to the point of normalcy.

## HEARINGS ON ZONE SYSTEM ARE TO BEGIN THURSDAY

Hartford, Conn., Dec. 15.—The public utilities commission announced that the close of today's hearing on the zone fare system recently installed by the Connecticut Company that hearings would be held beginning Thursday morning on the protests filed by Hartford, Southington, Bloomfield, Plainville, Berlin and Newington. On Friday petitions from Manchester will come up. No dates were set for hearings affecting other sections of the state. It is understood that at least one hearing will be held in New Haven and one in Bridgeport.

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## Condensed Telegrams

British exports for October were 779,000,000 pounds.

General Gonzalez reports the surrender of 700 Mexican rebels.

British food ministry announced plans for a reduction of 2 cents a quart in milk.

American Smelting & Refining Co. increased price of lead from 6.50 to 7 cents a pound.

For political reasons the request of former Emperor Charles to reside in Czechoslovakia was denied.

Gold amounting to \$5,000,000 arrived in New York from Canada. This is part of \$30,000,000 to be shipped.

Arrangements were completed for holding a second World Aviation Congress in Atlantic City next year.

Roosevelt Memorial Association announced 40,000 persons in Hawaii had enrolled in the membership drive.

Queen of Rumania sent congratulations to Lady Astor upon her winning a seat in the House of Commons.

Reports of the Weather Bureau indicated severe weather for Christmas in New York and along the Atlantic Coast.

Britain will soon end the control of meat. There is a sufficient supply on hand to cover all needs for several months.

Sir Robert Borden, who is in ill health, will retire from government leadership of Canada next month it was announced.

More than \$10,000,000 in Christmas bonuses will be distributed to employees of Chicago banks and stores during the coming week.

Automobile fatalities in Chicago during the past year averaged more than one a day. To date there were 391 directly due to auto accidents.

Land disturbances and rioting in Trinidad and Tobago, in the West Indies, were quelled by sailors landed from the British warship Calcutta.

Hungarian Cabinet definitely decided upon the members of the delegation to sign the peace treaty being the Allied powers and Hungary.

Greek soldiers and irregular Turkish troops engaged in skirmishes during the past few days in Western Asia Minor, according to Sofia reports.

Ethiopian and Bolshevik reports received in London report heavy fighting in the north of the country, with reports of a Russian victory.

Secretary Daniels says the policy of sending military men to the ranks of the marine corps originated during the war, will be permanent.

Federal agents and police were busy in San Francisco working on a card index of more than a thousand members of the California Communist party.

Lloyd George government in England is being severely criticized.

The Unger Steel Airship Co. began advertising for capital to construct ships and terminals for a proposed air service between Germany and the United States.

Reports reaching Nogales, Ariz., announced a fight between Mexican Federal troops and Yaqui Indians at El Capitán, south and east of Buena Vista station.

The congress of Swiss school teachers proposes to the International Association of Teachers at Brussels a preliminary international conference on April 17-19, 1920.

Fire Commissioner Brennan, of New York, announced that for \$500,000 worth of modern fire fighting apparatus will be received.

Secretary Baker and General March arrived at Hoboken on the army transport Northern Pacific after two weeks in the Panama Canal Zone and Puerto Rico.

Professor Alfred P. Porta, Italian astronomer, predicted great storms probably the heaviest on record, will visit the U. S. and eastern coast between Dec. 7 and the end of the month.

Major General Reinhardt, former Prussian Minister of War, charged with responsibility for the execution of twenty-nine sailors in Berlin last March, was dismissed from the army.

OFFICES FILLED BY THE YALE CORPORATION

New Haven, Conn., Dec. 15.—The Yale Corporation at a meeting Saturday filled the offices of provost of the university and dean of freshmen with two new posts provided for in the reorganization program adopted last spring.

William Walker, who is titular Street professor of ecclesiastical history, was elected provost, it was announced tonight. Professor Walker has been at Yale for eighteen years. He is a graduate of Amherst, class of 1882, and is known as a leading church historian.

Russell P. Angier, professor of psychology and director of the psychological laboratory, was elected dean of freshmen. Professor Angier was graduated from Harvard in 1897 and has been connected with Yale thirteen years. He served in the war as a captain in the signal corps, having charge of certain psychological tests for army aviators at Mineola, L. I.

Professor Walker will assume his new duties next July. Professor Angier will begin his new work January 1, when he will take up plans for the common freshmen year which is to go into effect next fall. Both nominations had the endorsement of the conference committee of the alumni advisory board.

## Reports Received of Marine Disasters

Repeated Attempts Failed to Float Three Steamers Ashore In Vineyard Sound.

Vineyard Haven, Mass., Dec. 15.—Reports received today from the coast guard cutter Acushnet and Greenham today to pull off the steamers Northwind and Lake Crystal, stranded on Nantuxet Island, were unsuccessful. The steamer Fairfield also remained fast aground tonight in Martha's Vineyard. One of the holds of the Lake Crystal was filled with water. Water also was entering the holds of the Northwind, but her pumps were controlling it tonight.

A wrecking plant sent from New London will begin salvage work on the Northwind as soon as the sale subsides somewhat. Two other wrecking expeditions were reported on the way from New London to assist in floating the other two steamers. The three vessels are carrying more than 10,000 tons of bituminous coal. The crews remained aboard tonight.

## TEN PERSONS SAVED FROM WRECK OF THE LIBENETO

Basle, Dec. 15 (Havas).—Advices received today from Stettin report that the steamer Kriemhild met a ship having on board ten persons saved from a wreck. The advices say that the ship had been wrecked on the American steamer Libeneto, 10,500 tons, bound from New York to England, which struck a mine and sank. No reason was given for the loss of the ship. The crew of the ship was rescued by the Kriemhild. The ship was carrying more than 10,000 tons of bituminous coal. The crews remained aboard tonight.

The steamer Libeneto referred to in the foregoing is not listed in shipping records, and it is believed that it may have become confused with the American steamer Liberty Glo, which was reported to have been wrecked on the Terschelling, Holland, Dec. 12.

A London despatch Dec. 12 said sixteen men of the crew of the Liberty had been saved and the others were unaccounted for.

Previous reports from The Hague said all but twenty-three of the crew had been landed at Terschelling. Later the agents of the ship were advised from Emmen that ten of the crew had been landed at that port, which would have made thirteen men still missing.

## BRITISH SCHOONER ST. CLAIRE THERIAULT PROBABLY LOST

St. John, N. B., Dec. 15.—The British schooner St. Claire Theriault, recently reported in a sinking condition, sixty miles off shore, with part of her crew sick and disabled, is believed to have gone down. A report that the ship had been sighted by a Canadian schooner, the St. Claire, which was reported to have been wrecked on the Terschelling, Holland, Dec. 12.

## TWO SCHOONERS ASHORE ON THEIR MAIDEN TRIPS

Sydney, N. S., Dec. 15.—The American steamer Lake Galewood, which went ashore at Port Hood during the night of Dec. 14, was reported to have been wrecked on the Terschelling, Holland, Dec. 12.

## WAR TIME EXPENDITURES HAS PRIORITY IN HOUSE

Washington, Dec. 15.—Twelve roll calls interspersed with charges and counter-charges, extending over two legislative days, brought attention late today in the house of a special rule permitting immediate consideration of the report of the committee which investigated war time expenditures of the war department.

Democrat members throughout the two sessions waged a hard fight to prevent consideration of the report, which they asserted made no specific charges of waste and extravagance.

The report, which was filed several weeks ago by the committee of which Representative Graham of Illinois is chairman, attacked the war department for alleged wasteful expenditure of money and suggested reopening of all claims for unexpired contracts settled by the war department.

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## Mexicans Release Frederick Hugo

Conditions Are Unknown—It Is Supposed No Ransom Was Paid.

Washington, Dec. 15.—The state department was today officially informed that Frederick Hugo, the American seized by bandits in the recent raid on Muzquiz, Mexico, had been released and had returned to Muzquiz. Conditions upon which he was set free were not stated in the message, but the department's announcement said it was supposed no ransom had been paid.

The official report came from the American Consul at Piedras Negras, Mexico, and added that it was possible that Phillips, an American who was captured during the raid and whose first name was not known here, had been released likewise.

The announcement followed earlier bases at Mexico City, and the consul action by the department, the emigrants at Piedras Negras having been instructed to make representation to the Carranza government officials with a view to securing the release of the two Americans.

Details of the abduction of the two Americans were lacking, the department advised. It was possible that the two Americans had been taken by the Carranza government officials with a view to securing the release of the two Americans.

The department's statement follows: "The department of state was advised today by the American Consul at Piedras Negras, Mexico, that according to a telegram received there from Muzquiz, Frederick Hugo, captured by Villistas, has been released and is now at Muzquiz. It is possible that Phillips, the other American taken by the Villistas also has been released. The telegram from Muzquiz does not state the conditions upon which the release was effected, but it was supposed that no ransom was paid."

## NO DETAILS OF THE RELEASE OF FRED HUGO

Eagle Pass, Texas, Dec. 15.—American and Mexican government officials here had not received details tonight of the release of Fred Hugo, American ranch manager, by Villistas without payment of the \$10,000 ransom demanded by Francisco Villa. Hugo was released when the Villistas left Muzquiz, Coahuila, and returned to the place and he is still in that town. Several prominent Mexicans held by Villa were released without payment of ransom.

Announcement of the release of Hugo, manager of the J. M. Dobbs ranch in Coahuila, and the Mexicans was made today by Mr. E. Seguin, Mexican consul here. The release was in a brief telegram from General Alfredo Ricourt, commander of federal troops sent to intercept the Villistas. So far as is known, the release has been no clash between these forces.

## DENIES SHE TOSSED HER BOY INTO THE OCEAN

Atlantic City, N. J., Dec. 15.—Continued to the city in a police guard where she is slowly recovering from the effects of a habit-forming drug, according to attending physicians, Mrs. James M. Blake, charged with the murder of her five-year-old son, James "Bunny" Blake, still sobbingly denies that she tossed the child headed by the ocean. According to her story, she was in the water when the child was found floating in the water. She said she was in the water when the child was found floating in the water. She said she was in the water when the child was found floating in the water.

## LEGIONERS TO CONDUCT A DRIVE ON CONGRESS

Washington, Dec. 15.—National and state officers of the American Legion decided today at the initial session of their annual convention here to carry out a drive on congress tomorrow night for legislation benefiting veterans of the world war.

The drive on congress—the first to be undertaken by the new organization—will develop about the Sweet bill to extend the benefits of the war risk insurance act. It was indicated, however, that the drive would be extended to other legislation.

While discussion at the opening session of the conference developed practically unanimous approval of the Sweet bill, many of the speakers, however, expressed a desire to carry out a drive on congress tomorrow night for legislation benefiting veterans of the world war.

## VETERAN OF TWO WARS ATTEMPTED SUICIDE

New York, Dec. 15.—Captain Clarence L. Wiener, member of a wealthy Philadelphia family, who fought with the British army during the Boer war and with the American army in the world, attempted suicide here tonight at a Broadway hotel. He was moved to a hospital with a pistol shot wound just below the heart and his condition is said to be critical.

Captain Wiener left two letters, one a note to his wife, Mrs. L. Wiener, and the other to a friend, Arthur Tewson, head of a local news service.

## A BEQUEST OF \$421,233 FOR YALE UNIVERSITY

New York, Dec. 15.—Yale university will receive \$421,233 under the will of the late Frederick Mead of New York and Greenwich, Conn. It was announced today. The university also will receive the remainder of interest from the estates of various relatives.

Mead, a Yale graduate, had been a tea merchant here for many years. After his graduation he joined an expedition to collect fossils for the Peabody Museum. His estate is estimated at \$894,614.

In Paraguay there is found a "trail" was here. A kind of glow-worm, which emits a strong red light from head to tail and also a green light along each side of the body.

## GERARD WOULD BE A PRESIDENTIAL CANDIDATE

Pierre, S. D., Dec. 15.—James W. Gerard, of New York, has signed a minority nominating petition as a candidate for president of the United States at the state primaries in March. The petition also was signed by six delegates to the recent state proposal meeting here.

Principles accompanying the petition are summarized as being to "make and keep the country safe for democracy."

## CLEMENCEAU FRACTURED EIGHT RIB ON LEFT SIDE

Paris, Dec. 15.—Doctors Tuffier and Landry made another X-ray examination of Premier Clemenceau this evening, after which they issued the following bulletin: "The X-ray examination shows a fracture of the eighth rib on the left side, with a little displacement. There are no complications."

At Clemenceau remained at home, but received President Poincaré and Mr. Renner, the Austrian chancellor.

Some hours have been discovered in Egyptian tombs, the strips of which, which were in a state of decay, and gave forth a strong odor, after a silence of about 2,000 years.

## CUMMINGS APPEAL FOR THE PROTECTION OF RAILROADS

Senator Warns Congress That If Railroads Are Turned Back to the Owners Without Enactment of Necessary Legislation Two-Thirds of the Roads Would Be In the Hands of the Receivers Within Thirty Days—Asserts That They Would Fall Into Hopeless Confusion—Attacks Were Made On the Cummins Bill By Senators Lenroot and Stanley.

Washington, Dec. 15.—Congress was warned today that if the railroad were turned back to their owners without enactment of legislation for protection of the properties, two-thirds of the roads would be in hands of receivers within thirty days, which would be followed by the government should be retained by the government until spring. Senator Stanley, speaking in support of his amendment to eliminate the anti-strike provision, which would be retained by the government until spring. Senator Stanley, speaking in support of his amendment to eliminate the anti-strike provision, which would be retained by the government until spring.

The anti-strike provision, Senator Stanley asserted, was put in the bill over the protest of 2,000 men who had declared they would not wear the yoke. It was so drastic, he added, that if a man employed with his wife in a waybill office, took a better job with another road, and the wife went with him, both could be arrested and put in jail for conspiracy.

Senator Stanley also attacked the anti-strike clause because numerous references to the coal strike, and Senator Stanley in arguing against anti-strike laws said that in the case of the miners they were held back both by the injunction and by solemn notice of the president of the United States that their strike was unlawful.

"They would have not gone back to work because an act of congress said so when they refused after being named in an injunction issued by Federal Judge Anderson, a man they knew to be a fair and honest man, and they would have been held back by the injunction and by solemn notice of the president of the United States that their strike was unlawful."

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